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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/694,619	10/21/2000	Jan Fandrianto	KTI-005	9094
5073	7590	02/03/2004	EXAMINER	
BAKER BOTTS L.L.P. 2001 ROSS AVENUE SUITE 600 DALLAS, TX 75201-2980			JUNTIMA, NITTAYA	
		ART UNIT	PAPER NUMBER	
		2663	DATE MAILED: 02/03/2004	

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/694,619	FANDRIANTO ET AL.
	Examiner	Art Unit
	Nittaya Juntima	2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 21 October 2000.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-15, 20-38 is/are rejected.
- 7) Claim(s) 16-19 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 21 October 2000 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Objections

1. Claims 3, 10, 18, 25-27, and 29 are objected to because of the following informalities:

- claims 3 and 29, line 1, "conferencing" should be changed to establishing a communication channel," see specification on page 9, lines 16-20;
- claim 10, line 1, "conference request" should be changed to "transfer," see specification on page 9, lines 11-13;
- claim 18, line 1, "conference request command" should be changed to "transfer signal," see specification on page 9, lines 10-13; and
- line 2, "and" should be changed to "that,"
- claim 25, line 4, "and" should be added following a semicolon;
- claim 26, line 3, "a" should be changed to "the;" and
- claim 27, line 2, "a" should be changed to "the."

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-12, 25-27, and 38 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, the limitation “said means for establishing a communication between the first station and a second station” lacks antecedent basis. The office is treating this limitation as “said means for establishing a communication channel establishes a communication channel a between the first station and a second station.”

Claim 8, the limitation “the channel establishment module” in line 4 of the claim lacks antecedent basis. The office is treating this limitation as “said means for establishing a communication channel.”

Claims 11 and 38, the limitation “means, in communication with said means for conferencing, for monitoring the packet-switched network and evaluating network conditions affecting quality of service, said second station providing the transfer signal in response to said means for monitoring the packet-switched network” in claim 11 and the limitation “a network monitoring module for monitoring the packet-switched network and evaluating network conditions affecting quality of service, said second station providing the transfer signal in response to an evaluation by said network monitoring module” in claim 38 are vague and indefinite. It cannot be determined how and why the second station would provide the transfer signal to the first station in response to said means/a network monitoring module for monitoring the packet-switched network of the first station instead of its own, see also the specification on page 11, lines 1-15.

Claim 25 is vague and indefinite due to the following:

a) the limitation, “if it is determined that a communication channel is supported at the first station, then transferring the communication channel to a third station, else, disconnecting the first station from the conference call”

in line 7 of the claim is vague and indefinite. It cannot be determined from the claimed language as which parties/stations the first station is in the conference call with.

b) It cannot be determined from the claim language why a step of “determining whether a communication channel between the first station and a second station is supported at said first station” would be required if it is not the same communication channel that causes the transferring.

c) Moreoever, assuming that a communication channel causing the transfer is a communication channel between the first station and a second station, the preamble recites “for maintaining a conference call when a first station disconnects from the conference call;” however, it cannot be determined from the claim language as how the first station can disconnect from the conference call if it is determined that the communication channel between the first station and a second station is supported at the first station.

Therefore, the claim is vague and indefinite.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-3, 8-10, 12-15, 24, 28, and 35-37** are rejected under 35 U.S.C. 103(a) as being unpatentable over Tai et al. (USPN 5,841,976) in view of Schuster (USPN 6,577,622 B1).

Per claim 1, as shown in Fig. 2, Tai et al teach **a first station** (a first computer system 205, col. 11, lines 10-15), **a conference call** (a multipoint conference, col. 11, lines 10-15), **a plurality of other stations** (other computer systems 255, col. 11, lines 10-15), **a packet-switched network** (a communications network 245, i.e. a LAN or Internet, col. 11, lines 53-58), **a storage medium** (a memory 210, col. 11, lines 25-28), a plurality of programming modules (computer instructions, col. 11, lines 25-28), **a means for conferencing** (computer instructions to create a multipoint conferencing node 220, col. 11, lines 16-20 and 25-28), **a means for establishing a communication channel** (since connections between the first computer system 205 and computer systems 255 are established in order to create a multipoint conference, col. 11, lines 58-62, see also col. 4, lines 17-35, and instructions for execution on the processor are stored in a memory 210, col. 11, lines 25-32, therefore, it is inherent that a means for establishing a communication channel must be included in the memory 210 of the first computer system 205), **a conference request signal** (a connect signal to join a conference, col. 5, lines 30-34, 36-40, see also col. 4, lines 17-35, col. 11, lines 18-20 and Fig. 1), **a communication channel between the first station and a second station** (a communication channel 240 connecting the first computer system 204 and other computer system 255 on the left hand side through the network 245 is inherently established by an inherent means for establishing a communication channel in response to a multipoint instructions as shown in Fig. 1, col. 11, lines 53-55 and 58-62), **the communication channel supporting voice communication over the packet-switched network** (voice communication must be supported during distance learning, col. 4, lines 36-50, and a communication channel 240 is established for a multipoint conference over a LAN or an

Internet, col. 11, lines 53-62, therefore, the communication channel must support voice communication over the packet-switched network).

However, Tai et al. fail to teach means for mixing input signals.

Schuster et al. teach *means for mixing input signals* which mixes the signals received at a station 208 from a user at station 218 and a user at station 228 to produce a combined signal output which must be played at station 208 to enable user at station 208 to hear what the other users say during a conference (Fig. 8A, col. 19, lines 3-17, see also col. 6, lines 26-28 and Fig. 1, and col. 10, lines 32-35).

Given the teaching of Schuster et al., it would have been obvious to one skilled in the art to include a means for mixing input signals into the first station of Tai et al. to provide the conference participants with each other's communications as taught by Schuster et al. (col. 19, lines 10-17).

Per claims 2 and 14, Tai et al. teach that means for conferencing enables (the computer instructions to create a multipoint conference node 220) the first station (the first computer system 205 in Fig. 2) to be set in conference mode (when determined that the network includes support for multipoint conferencing) such that the first station can support a conference call (Fig. 1, col. 5, lines 8-40 and col. 11, lines 10-15).

Per claims 8-10 and 35-37, the combined teaching of Tai et al. and Schuster fail to teach means/a transfer controller for transferring a communication channel between the first and second stations to a third station when the second station disconnects from the conference call, a transfer signal, a conference request signal, and a call-reference as recited in the claims.

However, it would have been obvious to one skilled in the art to modify the combined teaching of Tai et al. and Schuster such that when the second station (the computer system 255 on the left hand side, Fig. 2) disconnects from a conference call, the means for transferring/transfer controller (reads on instructions in memory 210 of Tai et al., col. 11, lines 36-45) of the first station (the first computer system 205, Fig. 2) in communication with the second station and the means for establishing a communication channel/channel establishment module (inherently included in the memory 210 of the first computer system 205, col. 11, lines 25-32 and 58-62, see also col. 4, lines 17-35) establishes a communication channel between the first station and the third station (another computer system 255) based on a transfer signal provided by the second station in order to allow a participant at the second station to instruct a participant at the first station to call another person at the third station after he (the participant at the second station) disconnects from the conference call, for example, as part of an assignment resulted from the discussion during the conference call, wherein the instruction (the transfer signal) includes a person at the third station (a conference request signal designating the third station) and his name (a call-reference identifying the second station).

Per claims 12 and 24, as shown in Fig. 2, Tai et al. teach that the first station (the first computer system 205) is a computer system supporting IP and connecting to a LAN or Internet network 245 through a communications channel 240 (col. 6, lines 41-49 and col. 11, lines 10-20 and 53-57) and the conference call method in Fig. 1 is implemented on a computer system and can be used in distance learning (col. 3, lines 34-35 and col. 4, lines 37-50), therefore, it is inherent that the first station has a capability of establishing a voice communication channel over a packet-switched network.

However, Tai et al. fail to explicitly teach that the first station is a telephonic device.

It would have been obvious to one skilled in the art to modify the first station, i.e. the first computer system 205 of Tai et al., to a telephonic device by simply adding speaker output and microphone input to provide VoIP conference call for cost-saving purposes as known in the art.

Per claim 13, As shown in Fig. 2, Tai et al teach *a first station* (a first computer system 205, col. 11, lines 10-15), *a conference call* (a multipoint conference, col. 11, lines 10-15), *a plurality of other stations* (other computer systems 255, col. 11, lines 10-15), *a packet-switched network* (a communications network 245, i.e. a LAN or Internet, col. 11, lines 53-58), *receiving a first conference request signal at a first station* (the first computer system 205 receives connection signals 260 from computer system 255 on the left hand side, col. 11, lines 62-66), *establishing a first communication channel between the first station and a second station* (a communications channel 240 on the left hand side is established, col. 11, lines 53-66), *receiving a second conference request signal at a first station a conference request signal* (the first computer system 205 receives connection signals 260 from computer system 255 on the right hand side, col. 11, lines 62-66), *establishing a second communication channel between the first station and a third station* (a communications channel 240 on the right hand side is established, col. 11, lines 53-66), *a communication channel between the first station and a second station* (a communication channel 240 connecting the first computer system 204 and other computer system 255 through the network 245 is inherently established by an inherent means for establishing a communication channel in response to a multipoint instructions as shown in Fig. 1, col. 11, lines 53-55 and 58-62).

However, Tai et al. fail to teach means for mixing input signals.

Schuster et al. teach *means for mixing input signals* which mixes the signals received at a station 208 from a user at station 218 and a user at station 228 to produce a combined signal output which must be played at station 208 to enable user at station 208 to hear what the other users say during a conference (Fig. 8A, col. 19, lines 3-17, see also col. 6, lines 26-28 and Fig. 1, and col. 10, lines 32-35).

Given the teaching of Schuster et al., it would have been obvious to one skilled in the art to include a means for mixing input signals into the method of Tai et al. to provide the conference participants with each other's communications as taught by Schuster et al. (col. 19, lines 10-17).

Per claim 28, As shown in Fig. 2, Tai et al teach *a first station* (a first computer system 205, col. 11, lines 10-15), *a conference call* (a multipoint conference, col. 11, lines 10-15), *a plurality of other stations* (other computer systems 255, col. 11, lines 10-15), *a packet-switched network* (a communications network 245, i.e. a LAN or Internet, col. 11, lines 53-58), *a storage medium* (a memory 210, col. 11, lines 25-28), a plurality of programming modules (computer instructions, col. 11, lines 25-28), *a conferencing module* (computer instructions to create a multipoint conferencing node 220, col. 11, lines 16-20 and 25-28), *a channel establishment module* (since connections between the first computer system 205 and computer systems 255 are established in order to create a multipoint conference, col. 11, lines 58-62, see also col. 4, lines 17-35, and instructions for execution on the processor are stored in a memory 210, col. 11, lines 25-32, therefore, it is inherent that a channel establishment must be included in the memory 210 of the first computer system 205), *the conferencing module receives a conference request signal from second station and determines whether to establish a communication channel*

between the first and second stations (computer instructions to create a multipoint conferencing node 220 of the first computer system 205 must inherently receive a connect signal 260 from the computer system 255 on the left hand side and determine whether to establish a communications channel 240 before the channel is established, col. 11, lines 53-66, see also col. 5, lines 30-34, 36-40, and Fig. 1), *based upon the determination of the conferencing module, said channel establishment module establishing the communication channel which supports voice communication over the packet-switched network* (the establishment of communication channel 240 between the first computer system 205 and the computer system 255 on the left hand side by an inherent channel establishment module to create a multipoint conference must be based on the determination of the computer instructions to create a multipoint conferencing node 220 of the first computer system 205, col. 11, lines 18-20 and 53-56, and further, voice communication must be supported during distance learning, col. 4, lines 36-50, and a communication channel 240 is established for a multipoint conference over a LAN or an Internet, col. 11, lines 53-62, therefore, the communication channel 240 must support voice communication over the packet-switched network).

However, Tai et al. fail to teach means for mixing input signals.

Schuster et al. teach *means for mixing input signals* which mixes the signals received at a station 208 from a user at station 218 and a user at station 228 to produce a combined signal output which must be played at station 208 to enable user at station 208 to hear what the other users say during a conference (Fig. 8A, col. 19, lines 3-17, see also col. 6, lines 26-28 and Fig. 1, and col. 10, lines 32-35).

Given the teaching of Schuster et al., it would have been obvious to one skilled in the art to include a means for mixing input signals into the first station of Tai et al. to provide the conference participants with each other's communications as taught by Schuster et al. (col. 19, lines 10-17).

5. **Claims 3, 15, and 29** are rejected under 35 U.S.C. 103(a) as being unpatentable over Tai et al. (USPN 5,841,976) in view of Schuster (USPN 6,577,622 B1), and further in view of Zwick (USPN 5,701,340).

Per **claims 3, 15, and 29**, the combined teaching of Tai et al. and Schuster fail to teach sending a signal to indicate the establishing of the communication channel(s).

However, Zwick teaches a function of sending a signal to indicate the establishing of the communication channel(s) from a conference bridge, i.e. a communication channel between the new conferee and the conference bridge is established (col. 2, lines 46-48 and col. 3, lines 1-13).

Therefore, it would have been obvious to one skilled in the art to modify the combined teaching of Tai et al. and Schuster such that the function of notifying the conferees of the new channel of Zwick would be included in the means for conferencing/conferencing module of Tai et al. and Schuster to enable it to notify the connected conferees, e.g. the first, second, and third stations, of any new conferees, e.g. the second and third stations, entering the conference call for security purposes as taught by Zwick (col. 3, lines 1-2 and 9-13).

6. **Claims 4-7, 20-23, and 30-34** are rejected under 35 U.S.C. 103(a) as being unpatentable over Tai et al. (USPN 5,841,976) in view of Schuster (USPN 6,577,622 B1), and further in view of Schoof, II (USPN 5,440,624).

Per claims 4-7 and 30-34, the combined teaching of Tai et al. and Schuster fail to teach means for authorizing a station to establish a communication channel/an authorizing mode based upon receiving an identification code having a pre-designated association to the conference call, wherein the identification code identifies the second station and includes a valid call reference and is configured to prevent the establishing of a communication channel between the first and second stations if the second station is not authorized to obtain access to the conference call.

However, Schoof, II, teaches the conference controller 130 in Fig 1A (col. 5, lines 62-col. 6, lines 1-16) having a selected rule base (means for authorizing/an authorizing module) for authorizing a participant (the second station) to establish a point to point session connection (a communication channel, e.g. a voice communication channel) by using a password or security code (*an identification code, also since a valid call reference is not defined, therefore, it reads on the password/security value, e.g. “conference123,” which is used as a password/security code of a conference call*) having a pre-designated association to the conference all and uniquely defining authorized participants (col. 7, lines 21-29 and 48-68).

Given the teaching of Schoof, II, it would have been obvious to one skilled in the art to modify the combined teaching of Tai et al. and Schuster such that means for authorizing a station to establish a communication channel/an authorizing module using an identification code are included to enable the first station to allow only authorized participants, such as the second station, with correct password or security code to enter a conference call, e.g. to establish a communication/voice channel, as taught by Schoof, II, (col. 7, lines 53-58).

Per claims 20-23, the combined method of Tai et al. and Schuster fail to teach the limitations recited in claims 20-23.

However, Schoof, II, teaches the conference controller 130 in Fig 1A having a selected rule base stored in memory 500 in Fig. 1B for authorizing the participants (the second and third stations) to establish a point to point session connection (*a communication channel with the first station*) by using a password or security code (*an identification code*) which is pre-designated by a human governor operator or by pre-determined sets of conference rules grouped together by artificial intelligence methods and uniquely defines the participants as the authorized participants (col. 5, lines 62-col. 6, lines 1-16 and col. 7, lines 21-29 and 48-68).

Given the teaching of Schoof, II, it would have been obvious to one skilled in the art to modify the combined teaching of Tai et al. and Schuster such that the steps of determining whether the second and third stations are authorized to establish a communication with the first station, pre-designating identification code which uniquely identifies the authorized stations, determining whether the first station receives an authorized identification code, i.e. signaling, from the second and third station, and denying if the second or third station is not authorized are included in the combined method of Tai et al. and Schuster to allow only authorized participants, such as the second station, with correct password or security code to enter a conference call as taught by Schoof, II, (col. 7, lines 53-58).

Allowable Subject Matter

7. Claims 16-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

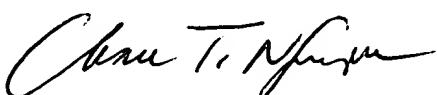
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nittaya Juntima whose telephone number is 703-306-4821. The examiner can normally be reached on Monday through Friday, 8:00 A.M - 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on 703-308-5340. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nittaya Juntima
January 29, 2004

NY



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